

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code subsections 455A.5(6) and 462A.32(1), the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 40, “Boating Speed and Distance Zoning,” Iowa Administrative Code.

The proposed amendment is in response to a rule-making petition submitted by the City of Harpers Ferry. The City is requesting that the current 5-mile-per-hour zone on the Mississippi River be expanded 550 feet downstream from the current southernmost marker buoy. The request is being made due to boat navigation and safety issues along existing river access points including docks and boat ramps.

Any interested person may make written suggestions or comments on the proposed amendment on or before August 30, 2011. Such written materials should be directed to Susan Stocker, Department of Natural Resources, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa 50319-0034; fax (515)281-0122; or E-mail susan.stocker@dnr.iowa.gov. Persons who wish to convey their views orally should contact Susan Stocker at (515)281-0122.

There will be a public hearing on August 30, 2011, at 1 p.m. in the Fourth Floor West Conference Room, Wallace State Office Building, 502 E. 9th Street, Des Moines, Iowa. At the public hearing, persons may present their views either orally or in writing. Persons attending the hearing will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any persons who intend to attend the public hearing and have special needs, such as those related to hearing or mobility impairments, should contact the Department of Natural Resources and advise of specific needs.

After analysis and review of this rule making, no impact on jobs has been found.

This amendment is intended to implement Iowa Code section 462A.32.

The following amendment is proposed.

Rescind subrule 40.27(1) and adopt the following new subrule in lieu thereof:

40.27(1) All vessels operated in Harpers Slough between a point 200 feet above the state ramp and 200 feet out from the west shore and extending 550 feet downstream from a point known as Sandy Point Road Dead-End shall operate at a speed not greater than 5 miles per hour.